THE HONOURABLE SRI JUSTICE R. SUBHASH REDDY

WRIT PETITION No. 345 OF 1999

-

ORDER:

This Writ Petition is filed seeking Writ of Mandamus, to declare the bill dated 1-1-1999 issued by the respondents as illegal and arbitrary, and, for consequential directions to the respondents to issue bills treating service connection of the petitioner as L T Category.

It is stated in the affidavit filed in support of the Writ Petition, that the petitioner is a company situated in Sy.No. 231/246 of Gagan Pahad, Ranga Reddy District and it obtained service connection bearing No. 981, with 74 Horse Power. It is the case of the petitioner that as it obtained service connection with 74 HP, bills with tariff applicable for LT category should be charged.

In the counter affidavit filed on behalf of the respondents, it is stated that pursuant to the inspection made in the premises of the petitioner-company on 2-12-1997, it was found that the consumer exceeded the sanctioned load of 74 HP by 107 HP. It is further stated that in exercise of powers conferred under Clause 40.3 of the terms and conditions of supply framed under Electricity (Supply) Act 1948, the respondents are empowered to charge the petitioner by applying the tariff applicable for HT category.

In this context, it is to be noted that if the sanctioned load to a consumer is beyond 75 HP, it is categorized as HT category. Though the petitioner-company has obtained service connection bearing No. 981 with 74 HP, but, during the inspection it was noticed that the petitioner-company exceeded sanctioned load up to 107 HP. In that view of the matter, it is not open for the petitioner to seek direction to charge the bills by applying the tariff applicable to LT category. I do not find any merit in the Writ Petition.

The Writ Petition is accordingly dismissed. No order as to costs.

JUSTICE R. SUBHASH REDDY

DATED: 07—10---2005.

Msnr